

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Docket No: Q73193

Zeev LIKWORNIK

Appln. No.: 10/608,534 Group Art Unit: 2614

Confirmation No.: 8254 Examiner: Binh Kien TIEU

Filed: June 30, 2003

For: TELEPHONE BASED METHOD AND SYSTEM FOR ADDING CONTACTS TO A  
PERSONAL NETWORK ADDRESS BOOK

**DECLARATION OF PRIOR INVENTION TO OVERCOME CITED PATENT OR  
PUBLICATION (37 C.F.R. § 1.131)**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**Purpose of Declaration**

1. This declaration is to establish conception of the invention in this application at a date at least prior to March 21, 2003, the effective date of the following applied reference:

US 2004/0186848 to Kobashikawa et al.

2. The person making this declaration is the sole inventor of the subject matter of the rejected claims. (MPEP 715.04)

**Facts and Documentary Evidence**

3. To establish the date of conception and diligence until the date of filing of the invention of this application, the following attached documents are submitted as evidence:

- o Comverse Invention Disclosure (attached to email correspondence from the Inventor to Comverse Counsel on a date at least prior to March 21, 2003);
- o Email Correspondence from the Inventor submitting invention disclosure to Comverse Counsel for review on August 28, 2002;
- o Email Correspondence from Comverse Counsel to Patent Counsel on November 24, 2002, requesting a patent search and patentability opinion on the Invention Disclosure (#985);
- o Letter Correspondence from Patent Counsel to Comverse Counsel on January 13, 2003, reporting on opinion as to patentability of invention disclosure;
- o Email Correspondence from Comverse Counsel to inventor on February 3, 2003,

- approving invention disclosure for preparation of patent application;
- Email Correspondence from Comverse Counsel to Patent Counsel on February 3, 2003, requesting preparation of a patent application on the subject matter of the invention disclosure;
- Email Correspondence from Patent Counsel to Inventor on March 31, 2003, forwarding first draft of the patent application for inventor review;
- Email Correspondence from Inventor to Patent Counsel on April 3, 2003, forwarding comments on the first draft of the application;
- Email Correspondence from Patent Counsel to the Inventor on April 7, 2003, forwarding revision to the application draft;
- Email Correspondence from Inventor to Patent Counsel on June 8, 2003, approving the application draft;
- Email Correspondence from Patent Counsel to Comverse Counsel on June 9, 2003, forwarding revised application draft for approval;
- Email Correspondence from Comverse Counsel to Patent Counsel on June 11, 2003, forwarding revision to application draft;
- Email Correspondence from Patent Counsel to Comverse Counsel on June 19, 2003, forwarding final application draft for approval;
- Email Correspondence from Comverse Counsel to Patent Counsel on June 29, 2003, approving the final application draft for filing;
- Image from Patent Counsel Document Management Screen evidencing the following:
  - Preparation of first application draft document "Q73193: AP.KWF" on March 31, 2003;
  - Preparation of revision to application drawings "Q73913: Fig 2 (revised 4/4/03)" on April 4, 2003;
  - Preparation of final version of first application draft, "Q73193: Finalized First Draft," "Q73193 Fig. 2," and "Q73193 Fig. 1," on June 9, 2003;
  - Preparation of final draft of application, "Q73193 Finalized Draft (marked up version) (6/18/03)," and "Q73193 Finalized Draft (clean version)," on June 18, 2003;

### **Conception**

4. The attached Comverse Invention Disclosure, transmitted by email from the Inventor to Comverse Counsel on a date at least prior to March 21, 2003, establishes the conception of the invention recited in the rejected claims at least prior to March 21, 2003, which is the effective date of the Kobashikawa reference.

### **Diligence**

5. The attached multiple documents also establish diligence beginning from prior to the effective date of the Kobashikawa reference on March 21, 2003, until the date of filing of the application on June 30, 2003. (MPEP 715.07(a)).

### **Time of Presentation of the Declaration**

6. This declaration is submitted before a final office action. This declaration is necessary to overcome a ground of rejection appearing in the non-final office action of October 4, 2007. Therefore, the declaration is timely. (MPEP 715.09).

### **Declaration**

As person signing below, I hereby declare as follows:

I am the sole inventor of the subject matter claimed in the present patent application. At the time I made the subject invention, I was an employee of Comverse, LTD.

On August 28, 2002, I provided the attached Comverse Invention Disclosure, directed to the subject matter recited in the rejected claims of the present patent application, to Comverse Counsel.

The attached Comverse Invention Disclosure establishes that I was in possession of the invention recited in the rejected claims of the instant patent application at least prior to March 21, 2003.

Between the date of November 24, 2002, and the date of filing of the application on June 30, 2003, I was in contact with the patent attorney drafting the application either directly or through Comverse patent counsel, and diligently reviewed the drafts of the application provided by the drafting attorney.

On a date on or about March 31, 2003, I received the attached draft of the patent application prepared by Patent Counsel for my review, to ensure that the patent application detailed the claimed invention correctly. The attached draft described subject matter recited in the rejected claims of the instant application.

The attached Comverse Invention Disclosure was created by me and the attached draft application was received and personally reviewed by me. Further, from my personal knowledge the attached invention disclosure and the attached draft application are genuine and authentic documents that were kept in the business records of the company and/or the law firm in the ordinary course of business.

The attached evidence of the dates of preparation of the several patent application drafts by the drafting patent attorney establishes that I exercised diligence from at least a date prior to the effective date of the Kobashikawa reference to the date of filing of the instant application.

Specifically, the diligence is established by: evidence of email correspondence between Comverse Counsel and Patent Counsel on February 3, 2003, instructing Patent Counsel to prepare a patent application on the subject matter of the invention disclosure. Further email correspondence between myself and Patent Counsel occurred on March 31, 2003, when a draft of the patent application was sent for my review. Comments and revisions to the patent application were exchanged between myself and Patent Counsel on April 3, 2003, April 7, 2003 and June 8, 2003. Further comments and revisions were exchanged between Patent Counsel and Comverse Counsel on June 9, 2003, June 11, 2003, June 19, 2003, and June 29, 2003, before the application was filed on June 30, 2003.

As evidenced by the above email correspondence, I received the final draft of the patent application shortly after June 19, 2003. Upon receiving the final draft of the patent application, I proceeded to carefully and diligently review the received draft to make sure that it is accurate. Subsequently, I carefully and diligently reviewed the formal documents for the patent application. These formal documents were executed by me and forwarded to Patent Counsel for filing along with the final version of the application on June 29, 2003. After that, the application was filed by the law firm on June 30, 2003, in the ordinary course of business and in due course.

The aforesaid attached evidence clearly establishes diligence from at least prior to March 21, 2003, to the filing date on June 30, 2003.

I hereby declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these

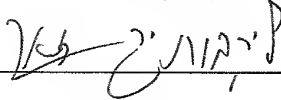
statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application or any patent issuing thereon.

**Signature**

**A. Inventor(s)**

**Full name of first inventor:** Zeev LIKWORNIK

Inventor's signature



Date

11 March 2008

Country of Citizenship

ISRAEL

Residence Address:

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